

App. No. 10/777,808
Amendment Dated: October 12, 2006
Reply to Office Action of July 24, 2006

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REMARKS/ARGUMENTS

The Office Action mailed July 24, 2006 rejected claims 1-23. Claims 2-3, 8, 16, 18 and 21 have been amended. No new matter has been added. The Applicants respectfully present the following for consideration.

Claim Rejections – 35 U.S.C. 112

Claims 2-4 and 18-23 were rejected under 35 USC 112 2nd paragraph. The Applicants have amended claims 2, 3 and 18 to correct the informalities.

Claim Rejections 35 U.S.C. 101

Claims 8, 16, and 21 were rejected under 35 U.S.C. 101. The Office Action stated that the “claims recite having a recent items list that contains items that are marked as non-recent, thus removing the utility and functionality of the recent items list as it contains items that are not recent.” Claims 18-23 were rejected under 35 U.S.C. 101 because the Office Action stated that the claimed invention is directed to non-statutory subject matter. The Applicants have amended claims 8, 16 and 21 to more clearly define that non-recent items are not included in the recent items list and have amended Claim 18 to be a tangible computer-readable medium.

Claim Rejections 35 U.S.C. 102(e)

Claims 1-7, 11-15 and 18-20 were rejected by the Office Action under 35 U.S.C. 102(e) as being anticipated by US 2004/0119732 (hereinafter Grossman).

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With regard to Claim 1, the Office Action states that Grossman teaches "determining a recent item based on an access to the item;(Para 11) associating the recent item with a contact maintained in a contact list when the item has an associated contact(Para 11); placing the recent item in a recent items list that includes all recently accessed items; {Para 11) generating the recent items list such that the recent item is only shown once within the recent items list; {Figure 4 and 5 and para 11) and displaying the recent items list.(Para 48)." The Applicants respectfully disagree.

Paragraph 11 of Grossman recites "The displayed list of expected contacts, which may be ordered alphabetically, by most recent use, or most often use, includes a predefined number of contacts that are determined to be the most likely selected contacts for the given application. The short list of expected contacts may also include an option for viewing any additional expected contacts that are not displayed in the list. The list of expected contacts can be obtained from a single contact information directory associated with a particular application, as well as from a plurality of contact information directories that can be accessed by the interface and corresponding modules of the invention."

Grossman is directed at automatically displaying "a list of expected contacts that are most likely to be selected by a user whenever focus input is directed at a type-in line, or another input object, requiring contact information" (Paragraph 0010). The Applicants agree that paragraph 11 of Grossman discloses how the expected contacts may be ordered (i.e. alphabetically, most recent use, most often use, etc.). Grossman, however, does not disclose the recitations of Claim 1. Among other differences, Grossman does not teach "determining a recent item based on an

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access to the item; associating the recent item with a contact maintained in a contact list when the item has an associated contact;" and "placing the recent item in a recent items list that includes all recently accessed items." Instead, Grossman teaches arranging the expected contacts by most recent use or most often use. This arrangement of the contacts is not the same as determining an item to place within a list based on an access to the item. In paragraph 11 of Grossman, the contact is already in the list (the expected contacts) before it is ordered. Additionally, Claim 1 includes the recitation of "associating the recent item with a contact" that is not disclosed within Grossman. Grossman is directed at displaying expected contacts. The recent items recited in the claims of the present application, however, do not need to be associated with a contact. As discussed above, Grossman does not associate contacts with recent items.

Independent Claims 11 and 18 include similar recitations and are proposed to be allowable for at least the reasons presented above.

35 U.S.C. 103(a) Rejections

Claims 9-10, 17, and 22-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Grossman in view of Official Notice. The Applicants respectfully disagree.

With regard to Claims 9, 17 and 22 the Office Action states that Grossman "fails to expressly disclose the time of the access to an item being displayed in the title bar when the item is selected. However, the examiner takes official notice that it would have been well known in the art at the time of the invention to display the time that a contact was last communicated with

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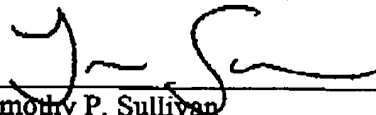
..." The Applicants respectfully challenge the assertion of the official notice taken by the Examiner. It is not well known in the art at the time of the invention to display "the time of the communication within a title bar of a contacts window when the recent item is highlighted." Even if the Examiner's official notice was to be taken as true, the claims include recitations not taught or suggested by the references. For instance, displaying the time within "a title bar" when the "recent item is highlighted." As such, these claims are proposed to be allowable as presented.

Conclusion

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

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